

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLES ELLIS,

Plaintiff,

v.

COUNTY OF KERN, *et al.*,

Defendants.

Case No. 1:22-cv-00436-KES-BAM (PC)

**ORDER REQUIRING DEFENDANTS TO
SHOW CAUSE WITHIN THIRTY DAYS
WHY DEFAULT SHOULD NOT BE
ENTERED**

(ECF No. 24)

**ORDER DIRECTING CLERK'S OFFICE TO
SERVE COURTESY COPY**

THIRTY (30) DAY DEADLINE

Plaintiff Charles Ellis ("Plaintiff") is a county jail inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's first amended complaint against Defendants Gifford, Alvarez, Boyd, and Lemon ("Defendants") for excessive force and for denial of medical care in violation of the Fourteenth Amendment.

On January 8, 2024, the Court found service of the first amended complaint appropriate as to all defendants. (ECF No. 18.) On February 29, 2024, the Court ordered the United States Marshal to initiate service of process on Defendants. (ECF No. 21.)

On May 3, 2024, the United States Marshal filed USM-285 forms indicating that on May 2, 2024, service was accepted for each of the four defendants by D. Lidgett, Transportation

1 Sergeant, at the Kern County Sheriff's Office Detention Facility. (ECF No. 24.) The deadline for
2 the filing of Defendants' answers to the complaint was therefore May 23, 2024. Fed. R. Civ. P.
3 12(a)(1)(A)(i). Defendants have not filed their answers or otherwise communicated with the
4 Court.

5 Accordingly, it is HEREBY ORDERED that:

- 6 1. Within **thirty (30) days** from the date of service of this order, Defendants shall show
7 cause why default should not be entered against them;
- 8 2. To facilitate the ability to comply with this order, Defendants' obligation to respond to the
9 complaint is extended **thirty (30) days** from the date of service of this order; and
- 10 3. The Clerk's Office shall serve a courtesy copy of this order on Defendants Gifford,
11 Alvarez, Boyd, and Lemon at the Kern County Sheriff's Office, Detention Facility.

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13 IT IS SO ORDERED.

14 Dated: May 29, 2024

15 /s/ Barbara A. McAuliffe
16 UNITED STATES MAGISTRATE JUDGE
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